

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
BEAUMONT DIVISION

FAUSTINO MARTINEZ §  
VS. § CIVIL ACTION NO. 1:09cv559  
REGINALD GOINGS §

**MEMORANDUM ORDER ADOPTING THE MAGISTRATE  
JUDGE'S REPORT AND RECOMMENDATION**

Faustino Martinez, proceeding *pro se*, filed the above-styled lawsuit. The court referred this matter to the Honorable Keith F. Giblin, United States Magistrate Judge, for consideration pursuant to applicable orders of this court. The magistrate judge has submitted a Report and Recommendation of United States Magistrate Judge recommending this lawsuit be dismissed for failure to state a claim upon which relief may be granted.

The court has received and considered the Report and Recommendation of United States Magistrate Judge, along with the records, pleadings and all available evidence. No objections to the Report and Recommendation were filed by the parties.

**ORDER**

Accordingly, the findings of fact and conclusions of law of the magistrate judge are correct and the report of the magistrate judge is **ADOPTED**. A final judgment shall be entered dismissing this lawsuit.

**SIGNED** this the 31 day of **August, 2009**.



Thad Heartfield  
United States District Judge